

## WATER DISTRICT 37 ANNUAL MEETING

Meeting Minutes **DRAFT**

Monday, January 9, 2017 1:30 p.m.

The Community Campus, Minnie Moore Room, Hailey Idaho

APR 04 2017

DEPT OF WATER RESOURCES  
SOUTHERN REGION

Copies of the Agenda for Annual Meeting 2017, 2016 Meeting Minutes, 2017 Proposed Budget, Proposed Resolutions for 2017, Resolution No. 15 and Water District News and Updates were available at the sign in table.

**ITEM #1. CALL TO ORDER AND INTRODUCTIONS**

Watermaster Kevin Lakey called the meeting to order at 1:30pm.

**ITEM #2 SELECTION OF A CHAIRMAN**

Watermaster Lakey called for a nomination for chairman. Carl Pendleton made a motion to elect Rod Hubsmith as Chairman of the Annual Meeting. Sharon Lee seconded. There was no discussion. Motion passed unopposed.

**ITEM #3 SELECTION OF SECRETARY**

Chairman Hubsmith called for a motion to nominate a Secretary for the Annual Meeting. Carl Pendleton nominated Sunny Healey. Seconded by Sharon Lee. Call for alternative nominees. There was no discussion. Motion passed unopposed.

**ITEM #4 APPROVAL OF MINUTES FROM THE 2016 ANNUAL MEETING**

Time was given for members to review the meeting minutes. Larry Schoen noted a spelling correction to a name. Nick Purdy made a motion to approve the 2016 meeting minutes with the correction. Seconded by Pat McMahon. There was no discussion. Motion passed unopposed.

**ITEM #5 PROPOSED RESOLUTION #15 SILVER CR/LITTLE WOOD AUTOMATED PRIORITY SYSTEM**

Watermaster Lakey gave an overview of the WaterSMART grant application noting the governing body would need to approve the application and the deadline is today. The grant is for a pilot project to build an automated priority notification system which would use telemetry with updates every 15 minutes. The system would use, in-line meters, submerged orifices, and a system of sensors. The price is \$13,687.50, it is a 50/50 matching grant for water users who volunteer for the project. Dewey Hennig comment - Consider alleviating deputies and replace them with drones.

COMMENT/QUESTION: Larry Schoen - The diversion headgates are operated by individual water users. The watermaster doesn't always know when they get shut off. Will these meters be on all orifices?

Watermaster Lakey - No this is a pilot project.

Larry Schoen- Maybe there is a way to incentivize the notification to the watermaster when they shut off, pay them to report.

Watermaster Lakey - I don't see anything wrong with that. Might be substantial savings of water over a few days. This savings could mean a reinstatement of the junior water users priority. Discussion of incentivizing users to notify watermaster when not using their water.

Watermaster Lakey requested option to vote on all resolutions or vote on Resolution # 15 separately. Chairman Hubsmith suggested to vote on resolution separately. Chairman Hubsmith asked if anyone would like to vote for Resolutions with #15 added. Consensus to vote on #15 separately.

QUESTION: Wendy Pabich - What about larger grants like the BOR (Bureau of Reclamation)?

Watermaster Lakey-WD 37 teaming up with conservation groups and looking into other grants.

Pete Van Der Meulen - The Idaho Water Board also has grants available.

Carl Pendleton made a motion to pass Resolution No. 15. Seconded by Nick Purdy. No discussion. Motion passed unopposed.

**ITEM #6 ADOPTION OF 2017 RESOLUTIONS**

Kevin Lakey read and explained the Proposed Resolutions for 2017 Water District 37. He explained that assessments are usually sent out around the first week of February. Water users are required to pay their assessment before they get water. Lakey explained that Resolution #8 was changed at the 2016 annual meeting to allow the assessment of diversions for year around use. This was done because municipalities pay for year round use and it was thought that it would only be fair for all other users to be held to the same standard. Resolution #12a was explained in that any diversion without a working approved meter is charged for their full water right over 100 days. Resolution #13a was explained to describe the various methods and timing of how ground water is measured. Watermaster Lakey expounded on 13a and said that all wells had not been recorded twice per year as planned, but that meters with a history of faulty batteries would be targeted for reading in April, July, and September in the upcoming irrigation season. Resolution #14. Allows for an account to be referred to a collection agency if it is not paid for by May 31st. This system of collection has been very effective. Chairman Hubsmith called for questions.

Wendy Pabich asked how 100 days was derived on Resolution #12a?

Watermaster Lakey said that there was no real science used, some run longer and some run shorter, 100 days is basically an average. Larry Schoen made the comment that some larger users are using over 100 days going into September and October.

Pat McMahon made a motion to pass the Proposed Resolutions for 2017 Water District 37. Seconded by Jerry Bashaw. There was no discussion. Motion passed unopposed.

**ITEM #7 ADOPTION 2017 BUDGET**

**Meeting Minutes Draft Continued**

Watermaster Lakey read and explained the 2017 Budget items. No change in salary for the watermaster and secretary. extra labor decreased from cost of previous groundwater inventory effort. Workman's comp dropped 14%. We're working towards tightening the Budget and bring down the carryover. Silver Creek/Upper Little Wood has more diversions than other areas in the district. Watermaster Lakey called for questions.

2:00 pm - Nathan Erickson, IDWR joined the meeting.

QUESTION: Larry Shoen - Do employees pay for insurance?

Watermaster Lakey - They chose to have insurance instead of a raise.

COMMENT: Larry Schoen - Belived that a 1% raise for employees salary is appropriate to reflect cost of living and meet daily expenses. Discussion on salary and economy.

COMMENT: Nick Purdy - It is unusual to cover all the health insurance, we should stick with it but next year give them a raise.

QUESTION: Chairman Hubsmith - How much more is insurance?

Cyndi McCowan - 17% (see budget) for the medical insurance portion. The total budget was reduced by 1%.

Jerry Bashaw made a motion to approve the 2017 Budget. Seconded by John Miley. There was no discussion. Motion passed unopposed.

**ITEM #8 SELECTION OF ADVISORY BOARD MEMBERS**

Watermaster Lakey noted that advisory board members are gracious enough to volunteer and read nominee names and introduced the members. Some members could not make it to the meeting due to inclement weather.

**2017 Advisory Board for Water District 37 Nominees**

(2) Big Wood River Representatives:

1- Above Magic Sharon Lee

1- Below Magic Howard Morris

(1) Little Wood River/Silver Creek Nick Purdy

(1) Hydropower Bill Arkoosh

(2) Canal Companies/Irrigation Districts

1-2016 Rep - American Falls Res. Dist #2 Rod Hubsmith

1-2016 Rep - North Side Canal Company Mike Elliott

(1) Groundwater Municipals Pat McMahon

(1) Groundwater Small Users (Less / 40 Acres) Dave Bell

(1) Groundwater Large Agricultural (Larger / 40 Acres) Rob Struthers

Watermaster Lakey called for volunteers to run for the Water District 37 Advisory Board.

Chairman Hubsmith requested nominations of individuals. There were no volunteers, no new nominations. Chairman Hubsmith called for a motion to approve the advisory board.

Carl Pendleton made a motion to approve the Water District 37 Advisory Board. Seconded by Sharon Lee. There was no discussion. Motion passed unopposed.

**ITEM #9 DISTRICT NEWS AND UPDATES (# 10 on agenda)**

UPDATE: Watermaster Lakey - Seametrics AG2000 meters have had battery failure issues and have been removed from IDWR's approved meter list. If a person has an AG2000 and it fails, it needs to be replaced. Discussion on batteries. AG 2000 meters will be checked three times per year, April, July and at the end of the season. Groundwater measurement is 93% complete with fifteen wells in the south valley and 30 in the Galena Ground Water District not yet compliant for a total of, forty-five wells not measured. There are still some big ag and mulit-use housing units that are unable to be measured.

UPDATE: HWY 93 wetland/flooded field project. Nick Purdy gave an overview of the proposed Silver Creek HWY 93 wetland area stabilization project. Call for interest to take project on. There was discussion of the project history, details, wetland delineation and maintenance, sediment levels, and a Supreme Court case. Nick estimated that the amount of water lost in the area is near the amount the callers are seeking. The Attorney General still maintains there can be no involvement in the project by the Water District.

COMMENT: Larry Shoen - There may be a conflict up north between FEMA federal regulations vs state law for floodway at diversion (42-3806). Discussion.

COMMENT: Nick Purdy - Thanked Kevin and Cyndi for the great job they do.

**ITEM # 10 ADJOURN (#11 on agenda)**

Rod Hubsmith called for a motion to adjourn. Pepin Corso-Harris made a motion to adjourn the meeting. Seconded by Carl Pendleton. No discussion. Motion passed unopposed. Meeting adjourned 2:34pm.

Respectfully,

Rob Struthers, Chairman

Sunny Healey, Minutes Secretary

ADOPTED BUDGET AND RESOLUTIONS  
PERTAINING TO THE COLLECTION THEREOF

FOR 20 17

RECEIVED

APR 04 2017

DEPT OF WATER RESOURCES  
SOUTHERN REGION

WATER DISTRICT NO. 37  
STREAM Big Wood, Little Wood, Malad  
COUNTY Blaine, Lincoln, Gooding  
NAME OF SECRETARY Cyndi McCowan  
ADDRESS OF SECRETARY 107 West 1st Street

COLLECTION AND HOLDING OF WATER DISTRICT FUNDS

Please check the appropriate box regarding the collection and holding of Water District funds.

☒ The Water District collects and holds its own funds.

☐ \_\_\_\_\_ County collects and holds funds for the Water District.  
(county name)

☐ \_\_\_\_\_ County collects the Water District's funds and deposits the funds in an account  
(county name) held by the Water District.

(This report must be certified and made in duplicate, one copy to be forwarded to the appropriate regional office of the Idaho Department of Water Resources., and one copy to the Secretary of the Annual Water User's Meeting of the Water District. If a designated county collects funds for the water, then a third copy must be sent to the auditor of the designated county.)

Shoshone, Idaho, March 9, 20 17

I HEREBY CERTIFY that the within is true and correct copy of the budget as adopted at the annual Water User's Meeting of Water District No. 37, held at Hailey, Idaho on the 9th day of January, 20 17 and all resolutions adopted at said meeting pertaining to the time and the manner of collecting the amounts provided for in the said budget.

Cyndi McCowan  
Secretary, Water District No. 37

## **ADOPTED RESOLUTIONS FOR 2017 WATER DISTRICT 37**

1. BE IT RESOLVED that hereafter the annual meeting of Water District 37 shall be held on the second Monday of January of each year.
2. BE IT RESOLVED that for the year 2017, a charge of \$60.00 shall be assessed to each individual who owns a water right, whose share of the total budget is less than the above specified amount.
3. BE IT RESOLVED that the amounts payable by each ditch, Canal Company, or other water user, as shown by the approved budget, shall become due and payable on April 1st and said amount, if not paid, shall bear a penalty of 10% and interest from that date until paid, at the rate of 1% per month.
4. BE IT RESOLVED that in accordance with Idaho Code 42-618 that no ditch, Canal Company, or other water user shall have the right to demand and receive water, and the Watermaster shall not deliver to such person or persons, until the amount due and payable from such users, as fixed by the budget, has been paid.
5. BE IT RESOLVED that the Watermaster of the district shall be in service for the full year, commencing on February 1st of each year and continue until the following January 31st, or until a successor has been duly qualified and elected.
6. BE IT RESOLVED that the Deputy Watermaster(s) of Water District 37, may remain in service for 12 months from the date of hire. The Watermaster may hire additional assistants as authorized in Idaho Code 42-609 in an emergency.
7. BE IT RESOLVED that in accordance with Idaho Code 42-605A, all non-consumptive Hydro Power water users shall be charged at a rate of 2.0% for the total amount of water delivered through their system.
8. BE IT RESOLVED that assessments, shall be based upon the total amount of annual water delivery, regardless of use or timing, as fixed by the approved budget. Hydro power will be assessed based on the total amount of water delivered through their system as referenced in Resolution #7.
9. BE IT RESOLVED that Kevin Lakey shall be elected Watermaster of District 37 for the ensuing year beginning February 1, 2017 and ending January 31, 2018, and that he shall be authorized to hire a full-time staff.
10. BE IT RESOLVED that Cyndi McCowan shall be elected Secretary-Treasurer, for District 37 for the ensuing year, beginning February 1, 2017 and ending January 31, 2018.
11. BE IT RESOLVED that the elected Treasurer of Water District 37 should only disburse monies from water district accounts upon a voucher approved by the Watermaster. All district checks can be signed either by the Treasurer or Watermaster, but must be co-signed by individual(s) approved by the Advisory Board.
12. BE IT RESOLVED that the 2017 assessments shall be calculated over a five-year average, according to Idaho Code 42-612 paragraph 5 which reads as follows: Other provision of Chapter 6, title 42, Idaho Code, notwithstanding, water users at the annual meeting may provide by resolution the respective amounts owed by each water user as shown in the adopted budget shall constitute a final determination of the amount due for that year without the need to carry forward any water user debits or credits to the following year.

12A. WHERE AS groundwater diversions were added to Water District 37 in 2013. WHERE AS not all groundwater diversions were measured in 2013 and an equitable method of estimating ground water use must be determined in order to calculate groundwater assessments. BE IT RESOLVED if a groundwater irrigation diversion does not have flow data for its delivery, the assessment will be estimated using the full water right and charged for 100 days of use and that rate will be used to calculate the five year average. Additionally, all other groundwater diversions that do not have flow data will be charged based on type of water use using the full use portion over its full season of use (i.e. commercial-snowmaking for 168 days, domestic and municipal for 365 days, etc). These rates will be used to calculate the five year average.

13. BE IT RESOLVED the Watermaster shall require lockable and controllable measuring devices to monitor the flows of water both from and back to the main source from which water has been diverted. He shall have the authority to investigate, enforce and act accordingly with the Code of the State of Idaho.

13A. WHERE AS the collection of accurate data and assessment requires frequent monitoring of diversions. WHERE AS frequent monitoring will require extra labor and cost. WHERE AS excessive costs may create undo hardships on some water users. BE IT RESOLVED that in order to insure accurate data collection, but also control costs, groundwater diversions using meters will be recorded twice per year. Diversions that have been allowed power consumption coefficient and time clock variances will be measured and calibrated every three years and power usage will be calculated annually.

14. WHERE AS the Water District 37 assessments are due by April 1 of each year and whereas, some diversions either do not receive water or have lockable controlling works. BE IT RESOLVED that if a customer's account(s) has not been paid in full by April 1 of the year assessed, the delinquent account(s) will be referred to a credit reporting agency after May 31 of that year. At which time, the customer will not again be contacted by Water District 37 but instead will deal solely with the collection agency where a contingent rate and applicable fees will be applied to the unpaid assessment(s). This will warrant that all claims by the collector will be valid, legally enforceable and comply with all applicable laws.

15. WHERE AS there are times when downstream senior users on the Little Wood River decrease or shut off diversions. WHERE AS the Water District may not become aware of diversion changes until month or year end. WHERE AS if the Water District were aware of downstream diversion reductions, they could reinstate upstream junior diversions more quickly. LET IT BE RESOLVED THAT Water District 37 will apply for a Bureau of Reclamation WaterSMART grant to help fund a pilot project to build an automated priority notification system (apns).

The pilot project for the apns will consist of developing 15 diversions in 2017 that will be equipped with telemetry to read and report diversion rates every 15 minutes to the water district office. Water District 37 will pay for telemetry on 9 diversions with single sensing units at a cost of \$1475 each. Six diversions with submerged orifices will be fitted with double sensing devices at a cost of \$2350 each. Total cost of sensing devices and telemetry for the project would be \$27375.00. The WaterSMART grant is a 50/50 matching grant, so if successful Water District 37 would be responsible for its share of \$13687.50. Water District expenses will be taken from the project savings account. To insure water user accountability and buy-in, water users who volunteer to be a part of the project are required to replace any mechanical meters or unapproved measuring devices with IDWR approved meters. Water users with approved measuring devices will be required to insure that measuring devices are kept in proper working order and measuring accurately.

**Water District 37****2017 Adopted Budget**

Payroll 2017	\$	165,806.79
Social Security (ER Share)	\$	12,684.22
St. Ret--PERSI (ER Share)	\$	18,769.33
Workmans Comp	\$	6,450.38
Idaho Tax Comm (SUTA)	\$	1,695.58
Medical Insurance-Full Time	\$	13,251.18
Employee Reim. For Expenses	\$	1,200.00
Above Magic Auto Expense	\$	10,934.77
Silver Cr & Upr L.W. Auto Exp.	\$	14,309.45
Below Magic & Lwr Little Wood Auto Expense	\$	7,119.00
Extra Labor / Auto Expense	\$	2,000.00
Office Rent	\$	5,700.00
Office Expense	\$	6,000.00
Office Utilities	\$	5,000.00
Field Expenses	\$	1,400.00
Auto Expense	\$	9,000.00
Liability Insurance (ICRMP)	\$	3,500.00
USGS Co-Op Fund      Ketchum Gage	\$	4,429.00
IDWR Co-Op Fund      Willow Creek Gage	\$	2,400.00
Big Wood Canal Co.	\$	1,360.00
North Side Canal Co.	\$	549.00
District Canal Co.	\$	150.00
Base Line Canal Co.	\$	150.00
Id. Water Users (Member Dues)	\$	500.00
Equipment Reserve (to Savings)	\$	3,000.00
Annual Audit	\$	1,500.00
Water Measurement (By BWCC)	\$	2,050.00
Idaho Power / Cloud Seeding	\$	5,000.00
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		\$      305,908.70
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Total 2017		\$      305,908.70
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